COLT'S TRIAL.

Court of Oyer and Terminer.

JUDGE KERT, PREMINIO.

FIFTH DAY—MONDAY, JAN 24.

Notwithstanding the intense cold and severity of the weather this morning, there was a great crowd around the iron gates and the back entrance of the City Hall, as early as nine o'clock; and a large number of persons were waiting inside, although they knew that they could not obtain admittance.

The Court Hoom was filled as soon as the doors were opened; and among the audisuce were five females of respectable appearance, sitting immediately behind Colt. The prisoner was employed in reading and writing till ten o'clock; he looked rather hagard and care worn, and had evidently suffered intense mental anguish during the last few days.

days.

The District Attorney was not present at the opening, but came in a few minutes. Mr. Selden was engaged in the Court of Chancery till eleven o'cleek.

was engaged in the Court of Chancery till eleven o'clock.

The first witness called, was—
John Jennson, examined—Is clear in Presbyterian Board of Foreign Missions, S City Hall Place; don't know Colt; knew Adams since January last; saw Adams several times in Sept last, and three times on the 17th Septlast. Saw him in his effice and in the office of our Board of Foreign Missions, and saw him last that day in Chambers street, close by the post office; the newspaper office; I think it was about three o'cleck; might have been little before or after; he was going from Centre street to Broadway, on the post office side, or south side of the street; I did not speak to him then; he was on the side walk, right in front of that gae that leads out of the Park; I was going from the post office to City Hall place at the time; I was going down straight to the Chambers street gate, and he passed straight on towards Broadway; I think he didn't see me or he would have spoken; Hook ed after him til he was immediately opposite the steps of the newspaper office in Chambers street; I turned and went home; I never saw him after that; I saw him before that day between 12 and I at his office in Gold and Am streets; I went to his office to call for a proof of a monthly publication he was in the habit of printing for us: he didn't give me a proof; he said—
Emmert objected.

me a proof; he said—
EMMEPT objected.
Willing said it was part of the res jesta.
Mr. EMMETT said he objected to all that Mr.

Adams said at any time.
Judge Ksart, said that the Court would exclude
all that Mr. Adams said as not part of the res jesta
except declarations made before death, in view of

death.

Whitties insisted he could show that Mr. Adams started from home to go to a certain place as he had stated to a third party. He would refer the court to some authorities—in Phillips'.

Court.—Are you going to argue the point.

Whitties—Only to show some authorities in Phillips' evidence.

Judge Kast.—What volume will you have?

Whitties—The 2d volume—by Cowan.

He afterwards read from 1st Phillips', p. 231, a the admissibility of certain portions of hearsny evidence.

ence. Judge KENT - The Court is perfectly familian

Judge Krwr — The Court is perfectly familiar with all those points.

Whittino then read a note by Cowan, page 345, notes 444 and 445, and note 447. He said these were all the authorities he should give now on the subject; if I wish to show an act, which I can do, the declaration of Adams was a part of the act, as to why he did not give a preof to Johnson.

The Courar read from Archibald's criminal pleadings as to hearsay evidence, that could not be admitted, and hearsay that could bring this declaration within the rule, among those exceptions mentioned by Archibald, as qualifying the act itself it would be admissible. The cry of the mob in Lord George Gordon's case was admitted as qualifying their acts at the time. If Mr. Adams said where he was going, or that he was going to see Colt, that might be admissible.

present.
Mr. Dowse again called—No answer.
Mr. Post called

Mr. Posr called No answer.

Mr. Fraces Dusors called and examined. I am engine turner, at 119 Fulton street. (The watch shown to him?) I don't know as I have seen the watch before, but I believe I know the back. I had the whole case in my possession to engine turn the keyhole, and to engrave the back; I have no number on the back to tell it by; but I suppose a man always knows his own work; it was either done for Plat & Brothers, or for Mr. Bowne, the case maker; there is a "P & B" on it. I suppose Platt & Brothers.

for Plan & Brothers, or for Mr. Bowne, the case maker; there is a "P & B" on it. I suppose Platt & Brothers.

By the Court. Am certain it is my work, or some one I camploy.

Wirrars. It was part done by machinery and part by hr ad. B. whe lives in _____ street.

Cross. Examined by Emmert. The scrolling work is done by hand—round the edge here—and this other part too.

C ext. Show the Jury.

Firens. But those plain lines are done by the croine.

(Emmett looked at the watch.)
WITNESS The plain lines that repredene by machinery. The rays

thing else done with machinery in this one.
Jupoz. There is a palace there; how is

JUDGE. There is a palace there; how is that done?
WITNESS. That is done by hand. The face is done part with the engine and part with the hand; I think we have a pattern for this one—we call it the President's house. We have engraved representations of the President's house on other gold watches—Some watches with engraved backs are imported are first sent from this country; intended for this market. The President's house is one of those patterns sent shroad; all Swiss watches have them—but not English ones that I know of By Judge Kest. That is an English watch I believe.

By Judge Kest. That is an English watch I believe.

WITNESS Can't say positively that English watches that are imported have not the President's house engraved on them; I can't tell. I've never seen any, never. There are other persons in this city engaged in the same business as I am. They also engrave on watches.

By Whiting—Never knew any watches imported with my engravings on them; have no doubt its my work.

J. W. Platt examined—Is one of the firm of Platt, Brothers, & Co, 12 Maiden Lane—(watch shown to him. He looked at it, and pulled out a memorandum.)

Emmert objected to this.

Whiting said that he could use the memorandum if he copied it from an original entry.

Court said the book with the original entry must be produced.

COUNT said the book with the original entry must be produced.

He left to get his book and clerk.

CHARLES H. POSIT—IS in the mercantile business, 135 Water street. (Watch shown to him.) Ithink, I know this watch; believe I owned it once. I got it from Mr. Brainard; I sold it to Mr. Samuel Adams, the printer, through Mr. Ransom. Don't know Adams' place of business. I believe Mr. Lyman W. Ransom is not in the city at present. I here he's in the West India Islands of present. I think he left here about the middle of November. I made a small mark on it, by opening it with my knife.

he left here about the middle of November. I made a small mark on it, by opening it with my knife.

Judge Kent show that to the jury, sir.

The watch was then shown to the jury.

Cross-examined—Don't recollect precise tim when this sale was made by Rassom to Adams.—Mr. Adams held a noie against Mr. Rawson. I took up the note by giving that watch in payment to Mr. Adams through Mr. Ransom. We were all three present on that occasion. Adams required payment of that note at various times; it was in the neighborhood of Sill. Me and Mr. Rawson had our office at the same place; I received the note of Ranson as a substitute for the watch. There was a bilance—don't know whether I took possession of the note then or not. I gave my due bill to Mr. Adams in payment for the bilance, payable in goods, and I became the holder of the claim against Ransom. I think the balance was between 25 and \$27. I looked to Ransom for payment of the note. Mr. Adams salt he was satisfied with the watch and my due bill. That note of \$111, was a note given for a renewal of another note which had been part paid. The note was only a short time past due.—Adams had been down there wo or three times to claim payment of that note. At one time when he called I heard Mr. A lams—

Stepped by the District-Attorney, who objected to it.

Selder is a small market in the state of the res jesta.

res jesta.

SELDEN asked the witness what was the state of feeling exhibited by Mr. Adams, when he came there to demand payment for that note.

Whiting objected.

subject; if I wish to show an act, which I can do, the declaration of Adams was a part of the act, at to why be did not give a proof to Johnson.

The Covar read from Archibold's criminal pleadings as to hearsy evidence, that could not be admitted, and hearasy that could be admitted at zerees with the rule, among those exceptions are mitted by the state of the series of the seri

most violent passions when brought into contact with others in a different walk of life—a laboring man, and so on, and his passions break out, and show the man with all the turbulence and violence of disposition with which the God of Nature made him. The inquary in this case then must be specific, and can never be general. The learned coursel most eloquently concluded by saying that he could not and would not lacerate the feelings of Mr. Adams's friends; it was not the wish of his client, and he would not do it, if he could, by endeavering to show that the general temper of Mr. Adams was violent and passionate—but he had the right to go into specific acts of his temper, exhibiting passionate outbreaks, when he called for money and did not get it. This was their legal right, and he would go no further, even if driven by any rule of law to such a course.

The Court said that the point seemed after all to be what was the temper and conduct and language of Mr. Adams on this occasion, or on the occasion of asking for money and not getting it. The temper of the individual can be shown. The question therefore may be asked.

With a seemed to be angry.

With the seemed to be angry; he said he thought I and Rausom wanted to swindle him out of the said he thought I and Rausom wanted to swindle him.

By Whithis — No one else present; had known

Witness—He seemed to be very angry; he said he thought I and Ransom wanted to swindle him.

By Whiting—No one else present; had known Adams before, for 2 years; I saw him out of temper before; he called for pay of the note; Ransom was out of the city; he then 'old me that he thought Ransom and me wanted to cheat him out of the money. I told him I had nothing to do with it. I had not. That debt was contracted for something about the: "Life of Harrison." Ransom and he had a good deal of dealings together. He was violent at the time he said this to Ransom. He was also angry at another time with me alone, and another time with me alone, and another time with me and Ransom; he said he believed we both was trying to swindle him out of the money. He was very angry then; he diin't toffer any Tolence; can't say what was his general temper; I saw him very often; I had six mon'ts before off-red to pay him Ransom's debt in goods. Ransom and myself were particular friends.

By Seiden examined—I had nothing to do with the note at all. The first time Adams got angry was with me, and he 'called me a swindler; the next time was with Ransom, when I was present; he called Ransom a swindler. The third time was when the watch was given.

As Woodbury jun. axamined—Is clerk to Platt & Brothers this is the day book. I geter to the swindler.

he called Ransom a swindler. The third time was when the watch was given.

Asa Woodhurt; jun. azamined.—Is clerk to Platt & Brothers; this is the day book. I entered two watches to Messrs. Brainard & Harrison, on the 14th of August I delivered them to My. Brainard. The one was numbered 5974, double back, gold lever watch, Robinson, maker. The other is No. 6002, same maker. Qua was kopt and one returned; I could not tell which. They were delivered by Mr. Nathan C. Platt.

Cross.examined.—I didn't see the watch at the time, I can't say that this particular engraving was on it.

was on it then; I have no doubt some engraving was on it.

Mr. Pratt commised—(Watch shown.)—This which has par initials on it; Mr. Bowne is the case maker; the number is on the movements that are imported; the number is put on the case by Mr. Bowne. We put our initials on our watches; didn't see the watch delivered to Mr. Brainard.

Cross examined — Have nothing to identify that watch as the one we sold to Mr. Brainard. No two similar numbers are on watches made by the same maker.

Mr. Selden admitted this was the watch sold by Plott to Brainard, by him to Post, and from him passed to Adams.

Plott to Brainard, by him to Post, and the down.) I delieve Mr. Beam, examined — (Watch shown.) I believe Mr. Bowne made this case and I helped him; the engraving was done by Dubois, for us; then it was retarned to us, and we polished it; and sent it to Platt and Brethers, for whom we made it; the engraving was on it whom we sent it to Platt and

Brothers; the case was made some time last June; on the 3d of June we got the movements from Platt and Brothers; the number of the watch is entered on our books, No. 5974.

Mr. Whittink er put in as evidence the advertisement of the Kalamazoo from the "Courier" of the 21st of August.

(Advertisement is carried through up to the 3lst of August, when the words "Immediate Despatch," are introduced; on the 1st of September she is advertised thus—"For New Orleans—the first regular packet—with immediate despatch." On the 14th, 15th and 16th, she as also advertised as the first packet; the netwertisoment here was on the outside of the paper; on the morning of the 17th she is advertised as the regular packet of the 17th she is advertised as the regular packet of the 15th of September for New Orleans; on the 17th there was a second advertisement in the same paper in the inside, saying she would positively be despatched before any other packet; and that goods forwarded to the agent, Elwell, would be forwarded free of commission; and goods forwarded to the agent at New Orleans would be sent on further without charge or loss of time.

Mr. Whittink then read the advertisement from the Sin of 22d of September, relative to the disappearance of Adams.

(Advertisement read.)

David Downes cramined—Knew Samuel Adams for five years, islimitely; as we the body at the dead house; I fully believe it was the body at the dead house; I fully believe it was the body at the dead house; I fully believe it was the body at the dead house; I fully believe it was the body at the dead house; I fully believe it was the body of Samuel Adams, and thought him a man very free or two years, about \$20; thought him a man very reserved, and of a good temper; had a great respect for Mr. Adams, and thought him a man very reserved, and of a good temper; had a great respect for Mr. Adams, and thought him a man very reserved, and of a good temper; had a great respect for Mr. Adams, and thought him a wery fine man.

Cross-cramined—I made shees and boots for

member telling any one that he left me in a vexed temper of mind: I felt so bad at being the means of sending him there that I could hardly trust my judgment within the next five or six days after the disclosure; we could not get them ready for the New York trade sale, and that was abandoned; we had only got these 400 ready; I think the name of G. W. Foster was on the title page, and the invoice was in that name: I think I got an impression at that time that Mr. Adams had furnished the paper for this book keeping; I might have got that for Mr. Adams, but I'm now satisfied he had not furnished it: Mr Colt was very anxious indeed and worried about those books not being got off, so as to impress me with the belief that he wanted the money very bad indeed: the stereotype plates for "Golt's Book-keeping" would have cost at least \$300 in the regular way of esimating, and for extras about \$75: without the figure work, it would have cost \$300 in plain work: these trade sales are deemed of considerable moment by the publishers of books: these stereotype plates put into my vanit—I don't know when or by whom; I saw them there—knew the character of the work; knew it was a good one, and thought I should like to buy the copy right: Adams then introduced Colt to me; Colt told me he should come into the possession of the work in about a year: Mr. Colt on that 17th Sept. seemed to think that the delay with the books was occasioned by me; I believe he said, if they could be got out any quicker for it, he would pay me the cash for the binding; I then told him the difficulty was not with me, we had used every effort to get the sheets bound; there are two editions of the "book keeping;" the larger is the "Teacker's and Clerk's edition;" and the other, the smaller, is called the "School edition;" Mr. Adams told me that they had been done for ton ceats, the smaller, is called the "School edition;" Mr. Adams told them before I knew Mr. Colt. By a printer's form is meant the pages necessary to print haif a sheet or one; side of a sheet

By Witting—It diant amount to anget. Colt was at my place, he day before his arrest. As he came in he said "this is very strange about Adams, what anyouthink has become of him; was writing, didn't look up till he put his hand on my sreak; I looked up and said "I don't know, the last time I saw him he was going to see you; did you see him! He made no answer, but stepped back to the table and said "It's very strange," and repeated what he said. He then talked about shipping the books. His countenance changed when I looked him in the eye, and said that to him. I felt burt that I'd made so pointed a question to him I should have felt so myself. He was the last man I should have thought of as having caused the death of Adams. He stepped back about 8 feet. He evaded the question.

He stapped back about 8 feet. He evaded the question.

In answer to the Court, the witness said that Colt told him he had received \$25 of the proceeds (He witness) told Lord te reserve \$50 for him; a Mr. B. W. Foster claimed the whole and threatened a suit, and the balance was paid over to Foster; it ultimately passed to Colt's hand.

Mr. Dr. La Forrer eramined—(He first stated that he did not recognise a subpena, but came up voluntarily)—Is French Consul; lately Prince de Joinville told me to buy a Colt, pistol and carbine for him. I went to a storein Breadway, and Here he was stopped by Mr. Salden, who contended that where it is possible for the prosecuting officer to come at a knowledge of the instrument used to cause death, it is his duty to insert the name of that instrument in the indistance.

killed by any species of fire arms—then fire arms should have been named in the indictment, so as to give the prisoner an opportunity of preparing for and meeting it in his defence. If it was not so, there Mr. Scanex read the rules regulating evidence, from "Roscoe's Criminal Evidence." He also read the indictment.
City and County of New York, is:
The jurors of the people of the State of New York, in and for the body of the City and County of New York, in and for the body of the City and County of New York, in the County of the City and County of New York, in and for the body of the City and County of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the County of the City of New York, in the City of City and City and County storead, in and upon and standard and forty-one, with force and arms at the Ward, City and County storead, in and upon one Samuel Admin of the City of the New York, in the Andrew of the Very of the City of the New York, in the Andrew of the Very of the New York, in the Andrew of the Very of the City of the New York, in the India of the New York, in the India of the New York, in the Andrew York, in the India of the New York, in the York of the New York of the New

And so the jurors aforesaid, upon their oaths aforesaid, do say, that the said John C. Colt, him, the said Samuel Adams, in manner and form aforesaid, foliniously, wilfully, and of his malice aforethought, did kill and murder, against the form of the statute in such case made and provided, and sgainst the peace of the people of the State of New York and their dignity.

JAS R. WHITING, District Attorney.

I certify the preceeding to be a true copy of the lidictments now in my office. Sept 28, 1841.

J. R. WHITING, District Attorney. dictments now in my office. Sept 28, 1841.

J.R. WHITTING, District Attorney.

Mr Whitting here said, that when he prepared the indictment, he had no idea that a pistol had been used. He was for a long time in doubt how Adams' death had been occasioned. Sometimes he had thought it possible, that he was killed by a pistol ball; and it was not till after the adjournment on Thursday, that he learned that a bull if rammed home light in a Colt's pistol can be discharged by a mere pircussion cap, without scarcely any noise whatever, or only a very slight noise, and sent across this room, something like the noise that was described by Wheeler and Seignette. He now thought it very probable, that Adams was killed by such a bail from such a uch a pistol, in such a way; and he washed to show by Mr. Du La Forrest, that a pistol ball can be so discharged, wi hout powder. These pistols and arms are superior to every other kind of weapon in this respect; the cap applies itself directly to the breech of the pistol, and drives the ball ferther than any other weapon. And I wish to show by this witness, that a bail was discharged on board the Belle Poule, from a Colt's pistol, by using only a percussion cap and no powder, and the ball was either buried, or made a strong indentation in a hard piece of wood. I wish to show this; and if I do, still this jury may consider that it has nothing to do with it, and that no pistol was used.

Mr. Whittie and cut.

Mr. Whittie as holds the indictment must be proved; instanced the case where a man was charged with kil Mr WHITING here said, that when he prepare

held to be fatal. They would decide it after dinner.

(Here the Court adjourned for one hour)

Afternoon Sessions.

Rev. Mr. Blarz called.—No answer.

Mr. Whittlesev called.—No answer.

Bens. Lewer examined—Is city watchman—Heard no one testify about the box. I went to Mr. Ball to get some kindling wood; the cell where we got it usually was locked up; we went to the next cell and got some wood and cut it up to kindle with. There were some blacks on it; it was in two pieces; 3 feet long and 9 inches wide; it had a great smell, and some one told mel longhth't to have taken it, for that was some of Mr. Colt's wood. I think one piece was in the call and the other in the corridor.

Cross examined by Selden—This was two or three months since. It was in a cell of the certider, adjoining the police office. The door of the cell was open.

David Ball. examined—Is door keeper of the watch house. I wanted some wood to kindle a fire and I took whatever I could find. I went to the cell where it was, and took this lid, and took it to the foot of the stairs and splitt up—the cell where it was, and took this lid, and took it to the foot of the stairs and splitt up—to the cells; there was a padlock on this but I think it was not locked. I think the board was 2½ feet long.

"So "that hiver" was accounted for.

Joseph W. Harrion, examined—Lives corner. Pearl and Chatham streets; knew Adams between two and three years; frequently had business transactions with him; saw him in Chatham near Roosevelt on Thersday the lith of September; he was coming down Chatham street; had a conversation with him on m ney matters; I didn't owe him sor hedidn't owe me.

The District Arronner offered to prove that

Adams had a conversation with this witness to the effect, that he contemplated meeting Colt next day at Colt's office, and receiving a sum of money from

at Colt's office, and receiving a sum of money from him.

Selden objected.

The Court considered this to come within the rule of hearsay evidence and could not be admitted.

Witness.—He want down Chatham street; I always looked on him as a very mild, peaceable and ineffensive man. But I have never had any dealings with him so as to make him show.

Rev. Dr. Blake examined—Is a clergyman; known Adams 5 er 6 years; I am occupied with literary labors in my son's office; my son is a publisher; for three years Adams occupied a loft over my son's office; he used to do a portion of the printing for the establishment; saw him two or three times; seen him a thousand times about his business; I thought his temper was usually passive and mild; he used to employ a great number of boys and seemed to want the energy necessary to correct them. Don't think I ever heard him use a loud word. The work done by him was generally badly done; by his boys neglected; and it was nearly all taken away from him. He used to have fault found with him because the work was so badly done; and he always bore it without replying and once when I reproved him for it, he shed t are.

The cross-examination elicited sothing.

and once when I reproved him for it, he shed tare,
and once when I reproved him for it, he shed tare,
The cross-examination elicited nothing.
Thos Smith-Lives corner Division and Market street; am a printer; knew Adams; always thought him a remarkably mild tempered man, so much so as not to have spirit enough to resent an insult.

Alfred G Peckham—Is jeweller; knew Adams IS years; his temper was very mild, and of an excellent disposition. Was not at all given to quarrelling; never saw him under circumstances likely to exhibit his temper.

B. B. Grinnell, examined—Knew Mr. Adams 7 or 8 years; had small business transactions with him; he was avery mild and peaceable man.

James Fina examined—Is a bookbinder; knew Adams 7 or 8 years; had business transactions with him; never knew so mild or peaceable a msn; I've blowed him up frequently myself, and he never said a word when the work was done bad. I've heard his partner blow him up, but he never said word.

Rongert Carten, examined—Is a bookseller;

blowed nim up irequenty myself, and ne nethers said a word when the work was done bad. Ive heard his partner blow him up, but he never said word.

Robert Carten, examined—Is a bookseller; knew Mr. Adams well; seen him severely tried; never saw hm out of temper; he was remarkab y mild and peaceable.

Charles P. Bailey—Is a grocer; knew Mr. Adams; he was remarkably mild and peaceable; in conversation he did'st get so high as otlers.

Alexander B. Blare—Knew Adams several years; he was a remarkably mild man; particularly inoffensive; never sav him out of temper; seen him under all circumstances; often had occasion to scold him; but he never repiled.

William Ironsides examined.—Is about fourteen years old; was empleyed in the Granite Buildings; in the employ of Mr. Slocum; I slept there in the third story; in September last I beard a hammering in the house, about twelve o'clock on Friday night, as I was going up stairs; it was on the second floor, on the right hand side going up stairs; I was a good dealfrightened, and turned to go back; but at last I went up stairs quickly: the noise continued till I got into my room: the next day I saw several boxes around the door: there were boxes going and coming all the time: the door of the back yard was closed at that time:—

Cross-examined—My step-nucle slept is the room with me: he lives in the store of Rushton and Aspinwall, Broadway: I told my mother the next night of it: we used to go up stairs from the back door.

Charles J. Walker, examined—Is a caster of plaster statues, worked for Redner at the granite buildings; on a Thursday I went to Mrs. Octon to ask for a saw; she sent me to Mr. Colt to get the saw; I went to his room door and knocked three times, half a minute between each time; at lasthe him for the saw, he told me to "go to h—Il?" Theard him sauving inside as if he was sawing some boords; he didn't open the door so that I could see maide the room.

he didn't open the door so that I could see inside the room.

Cross examined.—Mr. Ridner told me to get the saw; I did get it about three quarters of an hour afterwards; I told the colored woman what Mr. Colt said to me; saw the carman put a box on the cart next meruing, Saturday; first saw it about two feet from the front door; there was also another big box standing there in the entry.

[The witness was cross-examined very closely to know who he told this too at the time or soon after.]

know who he told this too at the time of the ter.]

CHARLES Wood examined—Was at Mr. Wheeler's on the afternoon of Friday, Sept. 17th; go: there about 4 o'clock; Wheeler said he heard the clashing of foils, and sent Delnoce to the police.—He came back without an officer; Mr. Riley said afterwards he'd go, if I'd go with him with my umbrells; it was a rainy night; we went to the police; they said there that they hadn't sufficient proof to break open the door. I had known Colt; seen him twice in Wheeler's room; left there at 8 o'clock at night: next moroing went there between 8 and 9

Cross-examined-I stood in the entry of that door Cross-examined—I stood in the entry of that door that Friday afternoon, while Wheeler knocked at the door; don't recollect if Seignette was there that afternoon. Don't remember if Riley was there that afternoon. Don't remember if Riley was there when I got there that afternoon. When I went away that night I left Mr. Wheeler, Mr. Delnoce, and one or two others Riley went home with me. Delnoce came about 5; about an hour after that I went to the solice. he police.

Judge KENT Which went first to the police?

wo others Riley went heme with me. Delnoce came about 5; about an hour after that I went to the police.

Judge Kart Which went first to the police? WITAESS. Delnoce did. I board with Wheeler; got home between one and two hours before him that night.

John Goldring, examined. Is a milkman. In the month of September last I left milk at the Hyperian Saleon, granice buildings. In the morning used to carry the milk into the hall deer, down the back stairs, and through the yard; when I saw the account in the papers about a man being found in a box, I remember then what I'd seen a man doing in the vault of the Hyperion Saloon. It was the latter end of the week, a cloudy day—it was in the morning between 7 and 80 clock. Don't think I'd know the man again; he was standing in the dark in the vault; ne was working at some boards; can't see the man now; he was a pretty tall man; had whiskers I should think. He stopped as I was going down stairs; he was working very harn with a naramer, nailing some boards, as I was geing down the siairs; as I passed by, he stopped, and turned, and looked hard at me; and I delivered my milk and came away, and he was standing in the same position as I left him. I thought he was going to strike me with a hammer; and I looked hard at him, and passed on up the steps. There was a zaw and a hatchet lying close beside him.

Cross-examined.—This vault was in the area on the Chambers street side. As I passed close to the man he stopped; I heard a man striking with a hammer on some boards; one side of the box was three feet or four feet. He had a hammer in his hands—the looked so acvere; and his cyes glaredse, that I thought he was going to strike me. This was underneath and below the street.

Strivier C Shittle chamined — Knew Adams 20 years; had not very frequent intercourse with him; years; had not very frequent intercourse with him; years; had not very frequent intercourse with him; I never knew he had any temper; one of the most modest men I ever was acquainted with; was remarkably peaceable. Fi

a very good tempered man.

Cross examined.—I took out letters of administration on the 13th of October. The books appear to be very irregular, the charges are regularly made; but the credits are not given. Several accounts now appearing open, have actually been closeff for some time. This occurs frequently. The solvency of the

estate is very doubtful. Scatchard ofted in 1840.

Jostan A. Lane examined—Was father in live of Mr. Adams. Known him 5 years. Married my daughter three years ago. He appeared to be a very easy tempered man; lived with me two vears; never heard of his having any difficulty. Last saw him have his watch sew days before Mr. Adams came home. Saw him last on the Wednesday or Thursday evening. Sept. Eith or 18th. I some the body at the dead house ; knew it by a sear on the left irg; never some the sear on his leg while he was after the west of the was of the west of the was a three was very mild. He was at my kouse the day before his death; had a watch with him (watch shown to him) I think this is the watch; I was about buying the watch of him; he said bed taken it for a debt. I was about buying it from him.—He had another watch. His wite had a gold watch. He left my house at 90 clock.

Crosserumined—He asked me Sto for the watch; I told him I'd be willing to give him about 985.

A. M. C. Shitth examined—Is a politic office; arrested Colt; gathered the things found in Coltic room. I found a hatched there, on the left as you go in, under a trunk and under some papers—Found a paid there. Saw the cover of the bex—Saw the spots of ink about the room. (Hatched shown.) The apots on this hatched and in the room, and on the box lid were of the same color. John P. Brixerhiory, examined—Is a gest for the Poudrette Company; I was ordered to remove contents of sink in the Granite Buildings to find clothing, but could find none; the work was effectually done in both instances, under my own superintendence; the floor was taken up; lights were taken down; the contents were taken to our factory and raked; but nothing found.

Cross-examined—The Monroe street sink was examined in October last, I think.

Wis Rosinson called, but not examined.

The

Jadge Kent said that the rule was not to allow the prosecution to introduce any accumulative testimony after it rested, but only to introduce rebuting evidence. This would be the ruling in the present case, reserving the branch of testimony relative to the pisto for discussion to morrow morning.

Wm. H. Remson examined—Is a clerk with John C. Colt. I do not know now that I have seen him before. Never sold as old awning to any one; never sold any old canvas; never had but one old awning in the store.

ning in the store.

Here the prosecution rested.

Mr. Skluen wished the decision of the Court on the pistel evidence before he opened his defence.

The Jury agreed to adjourn them at 8 o'clock, and the Court did so adjourn till 9 this Tuesday

THE LATEST FORGERY.—During last week, Mr. George D. Jewett, clerk, in the employ of White & Sheffield, merchants, of 29 Liberty street, visited Washington, D. C., for the purpose of transacting business for said firm, and on Thursday last deposited in the post office, directed to his employers three Treasury notes of \$100 each, and a draft for \$100, dated Washington city, Jan. 20th, 1842, drawn by Corcoran & Riggs to the order of Edward Dyer, made payable at the Bank of America in this city, and endorsed over by E. Dyer to J. T. Morehead and by him to White & Sheffield. Mr. Jewett returned from Washington on Sunday morning, and Informed his employers of what had transpired. Yesterday morning a young man named Albarar Ascurarr, entered the store of L. & J. Dubois, No. 206 William street, and offered to purchase \$100 worth of watches, in payment for which he presented the draft above described, with the signature of White & Sheffield upon it, written in a most miserable scrawl and spelled " White & Shiffield." Mr Dubois directed one of his clerks, Augustus Sutz, to step to the Bank of America and ascertain if the draft was genuine. He was informed that it was ; but they refused to pay it because they did not know the signature of White & Sheffield. The clerk then proceeded to the store of the last named firm, and ged on the draft. Mr. Norman White, one of the the firm, then accompanied Mr. Sutz to the store of Messrs. Dubois, where they found Aschrott still waiting. Mr. White immediately asked him for the three Treasury notes of \$100 each, when he drew out his pecket book and said, " If I give it to you will that be an end of the matter." No promises were held out to him; but upon a peremptory demand he gave up \$300 in bank bills, being the full amount of the Treasury notes. He stated that he had sold the Treasury notes to A. Lane, broker in Wall street, for \$297. On being questioned as to how he became in possession of the notes and 'draft, he stated that he feund a letter about 9 o'clock in the morning in William near Wall street, addressed to White & Sheffield, and on opening it, took out the Treasury notes and draft, and destroyed the letter. He also confessed that he had written the name of White & Sheffield upon the back of the draft. Upon searching his person, \$33 in bank notes were found, one gold double lois d'or, and four half eagles. We learned further that three letters were deposited in the Washington post office, directed to White & Sheffield; and yesterday morning they sent a person to the post office, when he returned with only two letters, for which he paid the postage, and eatered it in the postage book when he returned.

The mystery of the matter is as to the manner that Asherott came in possession of the letter. Did he obtain it from the post office, or was it dropped in the street by the person who went to the post office. The prisoner was committed for further examination.

STEALING B. OTS AND SHOES.—The store of John amount of the Treasury notes. He stated that he

obtain it from the post office, or was it dropped in the street by the person who went to the post office? The prisoner was committed for further examination.

Strains Brots and Shors—The store of John A. Potts, No. 92 Delancy-street, has been entered several times lately by false keys, and boots and shoes stolen to the amount of \$15. Mr. Potts, therefore, engaged the services of officer Denniston, who stationed himself in the vicinity of the store on Sunday evening, and in a short time discovered a man extering the front door by means of a key.—He returned in an instant with a pair of boots, and Denniston tapped him on the shoulder, with the ominous words, "you're mine." Upon being taken to the police he stated his name was Thomas Simpson, and that he was a shoemaker by trade. Being caught in the act, he confessed having extered the store several times by false keys, and stated that he found them in front of the door. Very probable—He was fully committed.

Stots a Gold lever watch valued at \$100, that he had lett in his room while absent a few minutes—A colored waiter belonging to the house, manned Samuel F. Merritt, was found to be among the missing, and on his return he was charged with the thefit, taken to the police office, and committed—The watch has not been recovered.

RUTTURED a BLOON VESSEL—A man named Mannet Strain watch has not been recovered.

RUTTURED a BLOON VESSEL—A man named Mannet be not been secovered in the stable attacked to the hotel yesterday moming, felf down and died almost mmediately. A port mortem examination held by Dr. Vache, who decided that his sudden death was occasioned from internal hemorrhage, caused by the rupture of a blood vessel. Coroner's verdict accordingly.

P. CKET Pierses.—A genius, named Henry Scabury, not having the fear of the fourth or a venth commandment before his eyes, catered one of the dens of corruption and rottenners, on the Five Points, is sun's a; while there hold ng a gentle tets a tes wis one of the polluted occupants, named Calkanine Murray, had his po

Francis Metford, a broker of Wall street, apwards of \$9000 in amount were ascertained yesterday to have been forged on various firms, and it is very probable from present circumstances, that even more will ye be brought to light.